UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,274	07/18/2003	Brian Gonsalves	1033-SS00378	2414

			EXAMINER
60533	7590	09/29/2006	CHAI, LONGBIT

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ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 09/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 August 2006</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-30</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-30</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>18 July 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Original application contained claims 1 – 30. Claims 1, 6, 10, 19, 23 and 26 have

been amended in an amendment filed on 8/21/2006. The amendment filed have been

entered and made of record. Presently, pending claims are 1 – 30.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

8/21/2006 has been entered.

Response to Argument

1.   As per claim 1 (and claim 10, 19, 23 & 26), Applicant asserts "None of the cited

references discloses initiating a blocking signal at a router to disable communications

received at one interface of the router being sent over to the end-user computing device

via another interface of the router (Page 11, 2nd Para)". Examiner respectfully disagrees

because (a) Cohen reference is relied upon returning the CP modem associated with a

given user computer (by MAC address) to the free pool upon the detection of user

computer inactivity (Cohen: Figure 2B / 1A and Column 10 Line 65 – Column 11 Line 3

and Column 11 Line 52 – 53), where CP modem is considered as one type of routers and twenty-four modems (up to 24 x CP modems) constitute a free modem pool (Cohen: Figure 2B) and the MAC address of a user computer is mapped / connected to each CP modem (Cohen: Column 11 Line 52 – 53), and (b) Shaffer is relied upon emphasizing the restriction of communications with the network via the network link during the periods of detecting user computer inactivity, wherein if the system has been configured for the high security mode, the system would deny access to the incoming call until the user authentication condition is entered and validated (Shaffer: Column 5 Line 31 – 32 and Column 8 Line 28 – 39). Therefore, Cohen in view of Shaffer does teach initiating a blocking signal at a router to disable communications received at one interface of the router being sent over to the end-user computing device via another interface of the router to meet the claim limitations. Therefore, applicant's arguments are respectfully traversed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1 – 4, 6, 8, 9 – 14, 16, 17, 19 – 26 and 29 are rejected under 35 U.S.C.

103(a) as being unpatentable over Cohen et al. (U.S. Patent 6,477,595), in view of

Shaffer et al. (U.S. Patent 6,145,083).

As per claim 1, Cohen teaches a system comprising:

A router (Cohen: Figure 1A / Element 119a) including:

a first interface to communicate with a local area network connection to an

end-user computer (Cohen: Column 4 Line 58 – 64 and Figure 1 Element 119 & Figure

2B);

a second interface to communicate with a wide area network connection to a

distributed computer network (Cohen: Column 4 Line 58 – 64 and Figure 1 Element 119

& Figure 2B);

detection logic responsive to the first interface, the detection logic to detect user

inactivity at the end-user computer (Cohen: Column 10 Line 65 – Column 11 Line 3).

However, Cohen teaches, upon the detection of user computer inactivity, the

system enters a standby mode and releases the associated CP modem (Customer

Premise modem) to the free pool (Cohen: Column 10 Line 65 – Column 11 Line 3 &

Figure 2B: twenty-four modems (up to 24 x CP modems) constitutes a free modem pool

(Cohen: Figure 2B) and the MAC address of a user computer is mapped / connected to

each CP modem (Cohen: Column 11 Line 52 – 53)) and therefore, Cohen teaches

issuing a standby mode command during the user inactivity period at the CP modem;

but, Cohen does not explicitly disclose the blocking logic in a standby mode to disable

communications received at the second interface from being sent over the first interface
to the end-user computer.

Shaffer teaches disable communications received at the second interface from
being sent over the first interface to the end-user computer (Shaffer: Column 5 Line 31
– 32 and Column 8 Line 28 – 39 & Cohen: Column 10 Line 65 – Column 11 Line 3 and
Figure 2B: Shaffer teaches the restriction of communications via the network link during
the periods of detecting user computer inactivity, wherein if the system has been
configured for the high security mode, the system would deny access to the incoming
call until the user authentication condition is entered and validated (Shaffer: Column 5
Line 31 – 32 and Column 8 Line 28 – 39). Besides, Examiner notes a network link
indeed includes the host and LAN interface of a Ethernet port at the user computer (e.g.
Ethernet NIC card) (Cohen: Column 10 Line 66 and Figure 1); and likewise, a network
link also includes the network and host interface of a communication device associated
with the Telco side (i.e. WAN side) (e.g. CP/DSL modem, Customer Premise Modem /
routing equipment) (Cohen: Figure 2B and Column 11 Line 52 – 53). Examiner further
notes Cohen reference is relied upon returning the CP modem associated with a given
user computer (by MAC address) to the free pool upon the detection of user computer
inactivity (Cohen: Figure 2B and Column 10 Line 65 – Column 11 Line 3 and Column 11
Line 52 – 53), where twenty-four modems (up to 24 x CP modems) constitutes a free
modem pool and the MAC address of a user computer is mapped / connected to each
CP modem (Cohen: Column 11 Line 52 – 53)).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teaching of Shaffer within the system of Cohen

because (a) Cohen teaches providing the mechanism of modem management during

the user inactivity period in a LAN-WAN networking environment (Cohen: Column 10

Line 65 – Column 11 Line 3 and Figure 1 & 2B), and (b) Shaffer teaches an enhanced

network security method, during the periods of user computer inactivity, to restrict the

communications via the network link unless the user authentication has been provided

to resume the communications (Shaffer: Column 5 Line 18 – 32, Column 3 Line 46 – 51

and Column 2 Line 46 – 48).

Accordingly, Shaffer in view of Cohen teaches blocking logic responsive to the

detection logic, the blocking logic to selectively initiate a blocking signal to disable

communications received at the second interface from being sent over the first interface

to the end-user computer (Examiner notes: (a) Cohen teaches issuing a standby mode

command during the user inactivity period at the CP modem and (b) Shaffer teaches

deny access to the incoming call until the user authentication condition is entered and

validated in the situation of user inactivity mode (Shaffer: Column 8 Line 28 – 39).

Therefore, the prior arts teach data received at the routing equipment (CP modem)

would be blocked from being communicated from the modem to the end-user computer

to meet the claim limitation).

As per claim 10, Cohen teaches a method comprising:

establishing a broadband connection at a routing equipment, the broadband

connection including a first local data connection between an end-user computer and

the routing equipment and a second wide area network data connection between the

routing equipment and an internet service provider (Cohen: Column 4 Line 58 – 64 and

Figure 1 Element 119 & Figure 2B: CP modem is considered as one type of routing

equipment);

detecting at the routing equipment that the end-user computer has been idle for

an idle time greater than an idle time inactivity threshold and determining an inactivity

event at the routing equipment (Cohen: Column 10 Line 65 – Column 11 Line 3); and

initiating a blocking signal at the routing equipment to establish a blocking

condition, the blocking signal blocking data received at the routing equipment via the

second wide area network data connection from being communicated from the routing

equipment to the end-user computer via the first local data connection (Examiner notes

– (a) see the same rationale set forth in rejecting the claim 1 (b) Cohen teaches issuing

a standby mode command during the user inactivity period at the CP modem and

Shaffer teaches deny access to the incoming call until the user authentication condition

is entered and validated in the situation of user inactivity mode (Shaffer: Column 8 Line

28 – 39). Therefore, the prior arts teach data received at the routing equipment (CP

modem) would be blocked from being communicated from the modem to the end-user

computer to meet the claim limitation).

As per claim 19, Cohen teaches a method of routing data at digital subscriber

line routing equipment, the method comprising:

establishing a first portion of a digital subscriber line connection at a digital

subscriber line (DSL) routing equipment, the first portion of the digital subscriber line

connection including a local Ethernet data connection between an end-user computer

and digital subscriber line routing equipment, the first portion of the digital subscriber

line connection terminating at a first port of the digital subscriber line routing equipment

(Cohen: Figure 2B & Figure 1 Element 119and Column 4 Line 58 – 64: DSL/CP modem

is considered as one type of routing equipment);

establishing a second portion of the digital subscriber line connection, the second

portion of the digital subscriber line connection including a wide area data connection

between the digital subscriber line routing equipment and internet service provider

equipment, the second portion of the digital subscriber line connection terminating at a

second port of the digital subscriber line routing equipment (Cohen: Figure 2B & Figure

1 Element 119and Column 4 Line 58 – 64: DSL/CP modem is considered as one type of

routing equipment);

detecting at the first port of the digital subscriber line routing equipment an

indication that the end-user computer has been idle for an idle time greater than an idle

time inactivity threshold (Cohen: Column 10 Line 65 – Column 11 Line 3); and

during a first period of time, initiating a blocking signal at digital subscriber line

routing equipment, the blocking signal blocking data received from the second port of

the digital subscriber line routing equipment from being communicated by the first port

of the digital subscriber line routing equipment (Examiner notes – see the same

rationale set forth in rejecting the claim 1 and 10).

As per claim 23 and 26, Cohen teaches a system comprising:

A router (Cohen: Figure 1A / Element 119a) including:

a first interface to a local area network, said local area network comprising a

plurality of end-user computers (Cohen: Figure 1 Element 119 & Figure 2B and Column

4 Line 58 – 64);

a second interface to a wide area network connection (Cohen: Figure 2B &

Figure 1 Element 119 and Column 4 Line 58 – 64: TELCO side is the WAN interface);

detection logic responsive to the first interface, the detection logic to detect user

inactivity at one or more of the plurality of end-user computers (Cohen: Column 10 Line

65 – Column 11 Line 3 and Figure 1 Element 119 & Figure 2B); and

blocking logic responsive to the detection logic, the blocking logic to selectively

initiate a blocking signal to selectively disable communications received from the

second interface from being sent over the first interface to at least one of the plurality of

end-user computers in the local area network while allowing communications to be sent

over the first interface to at least one of the plurality of end-user computers in the local

area network (Examiner notes – refer to the same rationale set forth in rejecting the

claim 1 and 10: besides, the device inactivity state is detected on per user-computer

basis (Shaffer: Column 5 Line 31 – 32 & Cohen: Column 10 Line 65 – Column 11 Line

3, Column 11 Line 52 – 53 and Figure 2B).

As per claim 2, Cohen as modified teaches the blocking logic sends the blocking signal in response to the detecting logic detecting the user inactivity for a selected period of time (Cohen: Column 10 Line 65 – Column 11 Line 3 & Shaffer: Column 5 Line 18 – 32).

As per claim 3 and 24, Cohen as modified teaches the selected period of time is between one and ten minutes (Cohen: see for example, Column 10 Line 65 – Column 11 Line 3 & Shaffer: Column 5 Line 18 – 32).

As per claim 4, 16 and 21, Cohen as modified teaches the selected period of time is a fixed time period (Cohen: Column 10 Line 65 – Column 11 Line 3).

As per claim 6 and 25, Cohen as modified teaches the detection logic and the blocking logic is embedded within an auto-sensing Ethernet port (Cohen: for example, Column 10 Line 65 – 67 & Shaffer: Column 5 Line 18 – 32: Examiner notes (a) "an auto-sensing Ethernet port" is interpreted as an Ethernet port with CSMA /CD Carrier Sense Multiple Access / Collision Detections associated with a CP modem as a complete functional entity to automatically facilitate the inactivity detection of the end-user computer (Cohen: Column 10 Line 65 – 67), and (b) integrating the blocking logic with the detection logic at the same physical device can indeed reduce the communication overhead to the minimum).

As per claim 8, Cohen as modified teaches the distributed computer network is the Internet (Cohen: see for example, Column 1 Line 32 – 40).

As per claim 9, Cohen as modified teaches the second interface is coupled to an internet service provider (Cohen: see for example, Column 1 Line 60 – 63).

As per claim 11, Cohen as modified teaches detecting activity from the end-user computer at the routing equipment (Cohen: see for example, Column 10 Line 65 – Column 11 Line 3: CP modem is considered as one type of the routing equipment).

As per claim 14 and 29, Cohen as modified teaches the first local data connection is an Ethernet connection (Cohen: see for example, Column 4 Line 58 – 64 and Figure 1 Element 119).

As per claim 17 and 22, Cohen as modified teaches the idle time activity threshold is a programmable threshold (Cohen: Column 10 Line 65 – 67).

As per claim 20 (& claim 12 and 13), Cohen as modified teaches during a second period of time after the first period of time, detecting activity at the first port of the digital subscriber line routing equipment indicating activity at the end-user computer and communicating data received at the second port of the digital subscriber line routing equipment to the first port of the digital subscriber line routing equipment and to the

end-user computer (Shaffer: Column 7 Line 44 – 45 and Column 5 Line 28 – 32 and

Cohen Figure 2B (CP/DSL modem): resuming the user inactivity of the locked mode

back to the activity detection of the normal mode upon the user authentication that

would otherwise restrict the communications via the network link as taught by Shaffer).

4.   Claims 5, 18 and 27 – 28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cohen et al. (U.S. Patent 6477595), in view of Shaffer et al. (U.S.

Patent 6145083), and in view of Evans (U.S. Patent 6807666).

As per claim 5 and 18, Cohen as modified teaches the selected period of time is

TBD minutes, may be one minute (Cohen: Column 10 Line 65 – 67). However, Cohen

does not disclose expressly is determined by a user of the end-user compute.

Evans teaches the selected period of time is determined by a user of the

end-user computer (Evans: Column 5 Line 29 – 32).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teaching of Evans within the system of Cohen as

modified because (a) Cohen teaches providing modem management methods in a

LAN-WAN networking environment in user inactivity periods (Cohen: Column 10 Line

65 – Column 11 Line 3 and Figure 1 & 2B), and (b) Evans teaches provides improved

methods and arrangements for use in multiple user computing environments to allow a

user configurable period of inactivity among a plurality of separate and concurrent

desktops (Evans: Column 1 Line 60 – 64 and Column 5 Line 29 – 32).

As per claim 27 and 28, Cohen as modified does not disclose expressly detecting

resumed activity from at least one of more of the plurality of end-user computers

previously in an inactive state.

Evans teaches detecting resumed activity from at least one of more of the

plurality of end-user computers previously in an inactive state (Evans: Column 5 Line 25

– 28). See the same rationale of combination as addressed above in rejecting claim 5.

5.   Claims 7, 15 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Cohen et al. (U.S. Patent 6477595), in view of Shaffer et al. (U.S. Patent

6145083), and in view of Gerszberg (U.S. Patent US 6510152 B1).

As per claim 7, 15 and 30, Cohen as modified teaches using point to point

protocol. However, Cohen does not disclose expressly the wide area network is a

digital subscriber line connection that carries authenticated point to point protocol over

Ethernet session traffic.

Gerszberg teaches the wide area network is a digital subscriber line connection

that carries authenticated point to point protocol over Ethernet session traffic

(Gerszberg: Column 21 Line 38 – 42 and Column 19 Line 24 – 29).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teaching of Gerszberg within the system of Cohen

as modified because (a) Cohen teaches providing modem management methods in a

LAN-WAN networking environment involved with the Ethernet LAN port and CP/DSL

modem, especially during the user inactivity period, to improve the network overall system performance / cost (Cohen: Column 10 Line 65 – Column 11 Line 3 and Figure 1 & 2B), and (b) Gerszberg teaches an improved network performance / cost structure with, for example, Ethernet transported over DSL modems by providing higher bandwidth, enhancing the CPE capabilities and lowering overall system costs to the customer (Gerszberg: Column 1 Line 27 – 30 and Column 2 Line 40 – 43).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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LBC

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